

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OKLAHOMA**

In Re:)	
)	
CHARLES DENNIS LOTT)	
)	Case No. 17-12124-M
Debtor.)	(Chapter 13)

TRUSTEE’S OBJECTION TO CONFIRMATION OF PLAN

COMES NOW Lonnie D. Eck, Standing Chapter 13 Trustee for the Northern District of Oklahoma, and for his objection to confirmation of the proposed plan, states:

1. The Debtor filed a Chapter 13 Plan on October 27, 2017 [Doc. No. 2].
2. The Plan must be amended to address the priority claim of the Internal Revenue Service, as filed (Claim No. 3).
3. The Plan must be amended to address the claim of Mark Whitehead, Personal Representative of the Estate of Clara Lee Shawn, deceased, as filed (Claim No. 2).
4. The Plan must be amended to address the secured claim of Santander Consumer USA Inc., as filed (Claim No. 6).
5. The Plan must be amended to address the secured claim of the Creek County Treasurer, as filed (Claim No. 4). Additionally, the Creek County Treasurer’s claim should not be listed under the section for “Secured Claims Entitled to Adequate Protection Under 11 U.S.C. § 1326(a)(1)(C)”.
6. The Plan must be amended to address the secured claim of the Oklahoma Tax Commission, as filed (Claim No. 1).

7. The Plan must be amended to address the secured claim of the Internal Revenue Service, as filed (Claim No. 3).

8. At the meeting of creditors held December 19, 2017, the Debtor testified he started a new job on or about November 1, 2017 making “at least” \$12,000.00 per month. The Trustee requests copies of all electronic pay vouchers each pay period until the case is confirmed.

9. At the meeting of creditors held December 19, 2017, the Trustee advised the and his attorney that it appears the legal description of the real property in this case contains a typographic error and may be incomplete. It was suggested Schedule A/B be reviewed and amended, if appropriate, to avoid title problems in the future.

10. At the hearing with respect to stay relief held in this case on December 12, 2017, the Debtor testified he owned intellectual property which is not scheduled, as intellectual property, in this case. Additionally, the approximately three million dollars due to the Debtor in March 2020 is not disclosed. Prior to confirmation of the Plan, the Trustee requests the schedules be amended to include this significant information.

11. The Plan projects monthly payments to the Trustee in the sum of \$3,125.00 and payment to unsecured creditors of 0%. It is the Trustee’s position, based upon stated information, that payback to all creditors must be 100%.

12. When the Plan is amended, the new mandatory Chapter 13 Plan form (effective December 1, 2017) must be utilized and the Plan served on the official mailing matrix in this case.

13. Prior to confirmation, the Debtor must file a Pre-Confirmation Certification (Local Rule 3015-3).

WHEREFORE, the Standing Chapter 13 Trustee prays that the Court deny confirmation of the Plan.

s/ Lonnie D. Eck

Lonnie D. Eck, Standing Chapter 13 Trustee
Northern District of Oklahoma
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Tulsa, Oklahoma 74101-2038
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CERTIFICATE OF MAILING

I, Lonnie D. Eck, hereby certify that on the date the above and foregoing pleading was filed with the Court, in addition to those served electronically through the Court's CM/ECF system, a true and correct copy thereof was mailed, by first-class mail, postage prepaid to each of the following:

Charles Dennis Lott
11624 South 417th West Avenue
Bristow, OK 74010

s/ Lonnie D. Eck

Lonnie D. Eck, Trustee